

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

CASE NO.: 3:20-cv-01682-ADC

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

EUGENIO GARCIA JIMENEZ, JR.,

Defendant.

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JOINT RULE 26(f) REPORT

Pursuant to Federal Rule of Civil Procedure 26(f), Plaintiff Securities and Exchange Commission (“Plaintiff”) and Defendant Eugenio Garcia Jimenez, Jr. (“Defendant”, together with Plaintiff, the “Parties”) respectfully submit this Joint Rule 26(f) Report:

I. Preliminary Statement

The Parties conducted their Rule 26(f) scheduling conference, via telephone conference, on March 18, 2021:

Parties	Counsel appearing at scheduling conference
Plaintiff Securities and Exchange Commission	Stephanie N. Moot, Esq.
Defendant Eugenio Garcia Jimenez, Jr.	Jose M. Martinez Chevres, Esq.

II. Report For Fed. R. Civ. P. 26(f)

A. What changes should be made in the timing, form, or requirement for disclosures under Rule 26(a), including a statement of when initial disclosures were made or will be made:

The Parties agree to provide the disclosures required by Rule 26(a)(1) by April 15, 2021.

The Parties do not anticipate the need for changes to any discovery limitations at this time.

B. The subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused on particular issues:

The Parties agree to work diligently to refine the scope of subjects on which discovery is needed. The Parties propose a discovery deadline of January 21, 2022. At this time, the Parties do not anticipate that discovery will need to be conducted in phases or be limited to or focused on particular issues.

C. Any issues about disclosure, discovery, or preservation of electronically stored information, including the form or forms in which it should be produced:

The parties agree to preserve all discoverable or potentially discoverable information within their possession, custody, or control. Whenever feasible, the parties will produce all electronically stored information (“ESI”) in bates-stamped, OCR text, or tiff format. Alternatively, if unable to produce ESI in such a manner, the parties will produce the information in the existing stored format. The parties further agree that they will maintain all relevant ESI in its original format until final resolution of this matter.

The parties have agreed that if any party inadvertently produces ESI or other documents that the producing party claims after production are privileged, the producing party will notify the opposing party promptly after learning that an inadvertent production of privileged material has occurred. Further, the receiving party shall promptly return, sequester, or destroy the material in question, and must take reasonable steps to retrieve the information from third parties, including expert witnesses. However, the parties reserve their right to claim the disclosed information was not privileged, or that the privilege was waived, and submit the matter to the Court if an agreement cannot be reached.

D. Any issues about claims of privilege or of protection as trial-preparation materials, including—if the parties agree on a procedure to assert these claims after production—whether to ask the court to include their agreement in an order under Federal Rule of Evidence 502:

The Parties incorporate their response set forth in Section C above.

E. What changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed

None at this time.

F. Any other orders that the Court should issue under Rule 26(c) or under Rule 16(b) and (c):

None at this time.

Date: March 26, 2021

Respectfully submitted,

<p>By: <u>/s/ Stephanie N. Moot</u> Stephanie N. Moot, Esq. Senior Trial Counsel PR Court ID No. G03207</p> <p>Securities and Exchange Commission 801 Brickell Avenue, Suite 1950 Miami, FL 33131 Telephone: (305) 982-6300 Email: moots@sec.gov <i>Counsel for Plaintiff</i></p>	<p>By: <u>/s/ Jose M. Martinez Chevres, Esq.</u> Jose M. Martinez Chevres, Esq. USDC-PR 301002</p> <p>Martinez Chevres Law Office P.O. Box 190790 San Juan, PR 00919-0790 Telephone: 787.963.0100 E-mail: jmc@martinezchevres.com <i>Counsel for Defendant Eugenio Garcia Jimenez, Jr.</i></p>
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 26, 2021, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Stephanie N. Moot
Stephanie N. Moot

SERVICE LIST

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